

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN DOE,

Civil Action No. 1:19-cv-11626 (DPW)

Plaintiff,

v.

TRUSTEES OF BOSTON COLLEGE,

Defendants.

AFFIDAVIT OF [REDACTED]

COUNTY OF [REDACTED])
) ss
STATE OF MASSACHUSETTS)

[REDACTED] being first duly sworn on oath, deposes and says:

1. I am a rising [REDACTED] at Boston College.
2. During the 2018-2019 academic year, I resided with the Plaintiff John Doe in a suite, along with [REDACTED].
3. I first learned about the allegations involving John Doe approximately January 30.
4. I was contacted by Dean O'Driscoll February 8 in order to schedule an interview concerning regarding Doe and an incident that occurred on November 3, 2018.
5. I was interviewed by Investigators Kristen O'Driscoll and Jennifer Davis on February 18, 2019.

6. During the interview, they asked me questions regarding where I went that night, how much I had to drink, what time I got back to my room, what I saw and where Doe and I went after seeing Roe.

7. They did not ask me about if I heard anything.

8. On June 26th, I learned that John Doe had been found responsible for sexual assault in violation of BC's policies via text message exchange with Doe.

9. I informed John Doe on the 26th that I had heard some of the things that transpired while the two were having sexual intercourse. This included "moaning" and other sexual sounds of both parties. And I heard her tell Doe "don't cum" or something close to that. I distinctly remember Roe make this statement as it made me start to laugh and I had to walk away from the couch.

10. I did not disclose this information to him prior to this date because I did not think it mattered as I was told by his advisor that they wanted to know if I saw her and if she was crying. Plus I thought it was not important.

11. I did not disclose this information to the Investigators during my interview because they did not ask me, I felt that I could get in trouble for listening in on a private sexual encounter, and was afraid they would possibly say I did something wrong (The Investigators made me feel as if I were under investigation and came at me pretty aggressively) and bring me up on charges and I did not want to seem like a pervert listening to my roommate having sex in the next room.

Subscribed and sworn to before me
this 15 day of August, 2019.

Notary Public, State of Massachusetts
My commission expires 8/29/23

